

Presbyterian governance in practice: Monymusk 1790–1825

ALISTAIR MUTCH¹

Introduction

In the years 1794 to 1825 a case concerning the Aberdeenshire parish of Monymusk wound its way through the labyrinthine processes of the Court of Session. Contending claims to the benefits of Lord Cullen's Mortification lay at its heart. Lord Cullen expected that 'the exact discipline of Presbyteries over ministers in what relates to religious ends' would ensure that the terms of his bequest were carried out when he established his charitable bequest in 1713.² His legal expertise, however, failed to anticipate how his wishes might be put into practice, resulting in conflicting interpretations that provoked the court case.³ The case provides a window into the tensions at the heart of the system of governance of the Church of Scotland because it involved all the players, from the kirk session to the General Assembly. This was a system with the claim to

¹ My thanks to Sir Archibald Grant of Monymusk for his permission to use the Grant of Monymusk estate papers and for his helpful advice. I also wish to acknowledge the help of members of staff at the National Records of Scotland.

² National Records of Scotland (NRS), GD240/15/1, Court of Session, Information for Grant, 19 October 1797.

³ Lord Cullen was a distinguished advocate who had studied law at Leyden and wrote the Act of Union between Scotland and England. One can see that in Lord Cullen's mind that the rules of law would be all that was necessary but that he does not appear to have given thought as to how his wishes would be put into practice. It is possible that none of the contending claims would have happened if he had given this proper consideration.

national scope and to cover all the inhabitants of the country, regardless of station. Monymusk indicates the extent to which determined heritors, with command of legal resources, could frustrate the objects of the system. However, equally determined clerical opponents could win the day, but only after the passage of much time. The Monymusk case thus allows us to examine the balance of forces at the heart of the peculiarly Scottish approach to authority and governance and assess its success. This approach was a profoundly *systemic* one, with carefully designed components, roles, and record keeping. All were revealed during the case, which has previously attracted attention in the context of both the operation of poor relief and of efforts to extend education.⁴ However, many further records have become more widely available since these pioneering expositions. This account is based on the church records at local and national level, on the voluminous papers produced by the court proceedings, and on the records contained in the Grant of Monymusk muniments. Before considering the detail of the case, however, an outline of the disciplinary system is given.

Kirk observes of the birth of the Church of Scotland that, 'the new kirk was accorded that rare and exhilarating experience, denied to most churches, of determining its own programme and constitution'.⁵ The notion of discipline loomed large in determining that programme.⁶ There were three aspects to that discipline: the control of the conduct of the

⁴ Ian Simpson, *Education in Aberdeenshire before 1872* (London, 1947); J. M. McPherson, *The Kirk's care of the poor, with special reference to the north-east of Scotland* (Aberdeen, 1945).

⁵ J. Kirk, *Patterns of Reform: Continuity and Change in the Reformation Kirk* (Edinburgh, 1989), p. xv.

⁶ John Knox, *The History of the Reformation of Religion in Scotland; With which are Included Knox's Confession and The Book of Discipline* (London, 1905).

faithful; the control of the activities of office-holders, especially the ministers; and, the control of the financial resources of the church. It is the first aspect that looms largest in the popular consciousness, thanks in no small part to cases such as that of Robert Burns. His satires on church worthies, born out of their public reprimands of his sexual conduct, have tended to outweigh his appreciation of some of the more positive features of the faith he shared.⁷ What persists is the public humiliation of sinners, often women and often on grounds of sexual misconduct, as recounted, for example, for the Lothian parish of Cramond by Hanham.⁸ The crucial body here was the kirk session, a body chaired by the minister as moderator and consisting of about four to six elders. It is strictly wrong to call such participants in church discipline 'lay', for they were ordained and expected, once in office, to serve for life.⁹ They were to report on potential cases of misconduct in the quarter of the parish for which they were responsible and to report these to the session. The session would summon the suspects and witnesses to a hearing at their regular meetings. These meetings were recorded in considerable detail and verdicts given. These were often for public repentance, where the 'convicted' would stand before the congregation in a place of repentance and their faults would be recited. This made the church a small theatre of discipline; this spatial aspect will be important when we examine events in Monymusk.¹⁰

⁷ Liam MacIlvanny, *Burns the Radical: Politics and Poetry in Late Eighteenth-century Scotland* (Edinburgh, 2002).

⁸ Alison Hanham, *The Sinners of Cramond: the struggle to impose godly behaviour on a Scottish community 1651–1851* (Edinburgh, 2005).

⁹ G. D. Henderson, *The Scottish Ruling Elder* (London, 1935).

¹⁰ Nigel Yates, *Preaching, word and sacrament: Scottish church interiors 1560–1860* (London, 2009).

However, while this may have been the public face of the discipline of the church, it was only a part of a broader system, a system to which Lord Cullen was referring when trusting to that ‘exact discipline’.¹¹ In other words, when Lord Cullen used the term ‘discipline’, we may prefer the term ‘governance’ to refer to the overall running of the church. In this system parishes were grouped together in presbyteries; Monymusk was part of the Presbytery of Garioch, a collection of fifteen parishes in the heart of Aberdeenshire. The presbytery consisted of all the ministers and selected elders and had a vital role in ensuring that the policies of the church were carried out. This speaks to another concern of John Knox and the early founders of the church; the desire to prevent the emergence of what they saw as a ‘priestly caste’ which had, in their view, corrupted the Roman Catholic church. Presbyteries, in their turn, were subject to the oversight of the regional synod, in this case based at Aberdeen. All were subject to the policies laid down at the annual General Assembly, where ministers and elders met in Edinburgh. As part of their deliberations, especially from the late seventeenth century, they considered the working of the entire system of discipline. Developed first in the *Overtures concerning the discipline and method of proceeding in the ecclesiastick judicatories in the Church of Scotland presented in 1696*, these practices were eventually codified in the work of Walter Steuart of Pardovan, a committed elder who had been exiled in the Netherlands for

¹¹ Alistair Mutch, ‘Theology, accountability and management: exploring the contributions of Scottish Presbyterianism’, *Organization* 19 (2012), 95–111.

holding to the tenets of presbyterian polity.¹² His *Collections and Observations Methodised, concerning the Worship, Discipline and Government of the Church of Scotland*, published in 1709, provided a 'procedure manual' for the operation of the whole system.¹³ What is noticeable in this work is its focus on monitoring the activities of ministers. This was to be achieved through a regular system of visitations and inspections of records, in which, for example, presbyteries would visit parishes in turn to examine their records and question officeholders in turn about each other's conduct.

The third element of this system was the control of the financial resources of the church. This was not an administrative matter; for Knox and others the Roman Catholic church had had its funds plundered for secular purposes, when they should have been used to relieve the distress of the faithful. The arrangements for poor relief were seen as a moral duty and careful watch needed to be kept over financial transactions. Accordingly, the office of treasurer was a central one and a key part of the duties of the session was to meet on a semi-annual basis, usually in June and December, to take stock

¹² *Overtures concerning the discipline and method of proceeding in the ecclesiastick judicatories in the Church of Scotland: humbly tendered to the consideration of the several Presbyteries, and to be by them prepared for the next, or some ensuing General Assembly*, (Edinburgh, 1696).

¹³ Walter Steuart, *Collections and observations concerning the worship, discipline, and government of the Church of Scotland. In four books. By Walter Steuart of Pardovan. Unto which are added, The form of process in the judicatures of the Church, with Relation to Scandals and Censures; and, The second book of discipline; or, Heads and Conclusions of the Policy of the Kirk, approved of by Act of Assembly 1581. also, a chapter of a celebrated treatise, concerning the Causes of the present Corruption of Christians, and the Remedies thereof. By the Reverend Professor Ostervald at Neufchatel in Switzerland* (Edinburgh, 1770).

of the financial resources and to reconcile them to the decisions taken and recorded by the session clerk. This focus on accounting became in some ways more linked to the more public aspect of discipline as the eighteenth century progressed, with the increasing commutation of penalties for offences into monetary form. Fines thus became an important, if minor, part of the revenues of local sessions and needed to be accounted for accordingly.¹⁴

‘Discipline’ was thus much broader than the public humiliation of sinners; the term referred to the governance of the church’s activities. The system described was refined in the early years of the eighteenth century and was probably at its zenith, at least in the Garioch, in the middle years of the century. By the later eighteenth century, especially with the shift of discipline from the public gaze to the relative privacy of appearance before the session, the focus was more on the whole system. It was at this level that the governance of the church interacted with secular concerns, especially in the form of heritors. There was always an assumption that the discipline operated by the church would articulate with that exercised by secular authorities, as the references to magistrates in the procedures for visitations attest. But the most direct contact was with heritors. At the Reformation, the founders of the church endeavoured to reserve the financial patrimony of the Roman Catholic church for spiritual purposes, but they were unsuccessful.¹⁵ As part of the Reformation settlement, the tiends, or tithes, that had supported the church were appropriated by secular landowners, but as part of this settlement those who had benefitted, the heritors, were to

¹⁴ Alistair Mutch, ‘Systemic accountability and the governance of the Kirk: the Presbytery of Garioch in the eighteenth century’, *Northern Scotland* 3 (2012), 45–65.

¹⁵ Alec Ryrie, *The Origins of the Scottish Reformation* (Manchester, 2006).

support the minister and provide and maintain the buildings necessary for the conduct of his office – the church, the manse, and the school.¹⁶ This often caused conflicts, but a particular point of contention was the relief of the poor. In some cases heritors themselves served as elders, but this was rare in the Garioch. Indeed, in some cases (such as Meldrum), heritors asked sessions to take over responsibility for their private charitable distributions.¹⁷ Heritors were invited to the annual meetings in which decisions were taken about the distribution of poor relief, but they tended not to attend. Here it is important to note that, in Aberdeenshire, the poor were relieved from the funds collected and managed by the session; there was no practice of assessments to raise money.¹⁸ However, such assessments were carried out further south, especially in the Lothian and Borders regions, where landowners paid a poor rate in proportion to their landholdings. Here, heritors were more outspoken in demanding the right to be involved in financial decisions.

This was also the area most closely associated with the Moderate Party in the church, in which a polite accommodation with heritors and an acceptance of their powers of patronage were seen to have replaced the more engaged religion of the earlier years of the eighteenth century. Certainly one sees a relative withering of the recording of decisions in many Lothian parishes, with a somewhat perfunctory and routine noting of only the basics of church governance. The session at Gladsmuir, for example, struggled to obtain their minutes from William Robertson when he left

¹⁶ Callum Brown, *Religion and Society in Scotland since 1707* (Edinburgh, 1997), p. 68.

¹⁷ NRS, CH2/1146/15, Meldrum minutes 1724–1752, 12 February 1750.

¹⁸ George Skene Keith, *General View of the Agriculture of Aberdeenshire* (Aberdeen, 1811).

them for Edinburgh, complaining in 1759 that 'their [sic] is blank for several years in their Register which is very unbecoming'.¹⁹ In some cases the kirk session appears to be treated as almost the executive committee of the heritors, arranging for the collection of poor assessments and their distribution. The heritors had the responsibility for the upkeep of the fabric of the church, but in 1782 John Hay of Hopes reported to the session of Garvald that he and his father had ordered a porch to be constructed. He requested (and received) payment of the account for its construction out of the interest which had been outstanding for seven years on a donation which his grandfather had made to the session.²⁰ In this way expenditure which was properly due to the heritors was actually taken from the funds which the session held for the benefit of the parishioners. However, while this might have been the tendency in the areas around Edinburgh, where university-educated ministers deferred to their social superiors, the same was not the case in other areas. Monymusk is an example of ministers using their educational status and the formal powers of the church to resist the demands of heritors. In this way, it suggests that it is dangerous to generalise from the experience of one part of Scotland to other parts of the country.

These dangers might be seen in the attention that has been given to the case of the Lothian parish of Humbie. A bitter dispute between heritors and the session made its way to the Court of Session in 1751. The decision handed down went beyond existing practice to give heritors the right to be involved in the distribution of all the session's funds, not just, as had previously been the position, half of those raised publicly. This decision led Mitchison to argue that, '1751 saw

¹⁹ NRS, CH2/169/2, Kirk Session of Gladsmuir, 12 September 1759.

²⁰ NRS, CH2/167/1, Kirk Session of Garvald, 27 February 1782.

the change in the administrative responsibility for the Scottish poor law. From now on poor-law affairs were to be run more formally, kept in separate books from the general session register, and vetted in legalistic spirit by the heritors.²¹ However, there is no evidence that the case had any impact in the Garioch parishes, beyond being cited in the dispute at Monymusk, as we will see. Another important legal decision at the same time was that at Cambuslang, where it was ruled that the session's funds were to be strictly reserved for poor relief and could not be used to, for example, pay the fees of the session clerk and other officers.²² Again, there is no evidence of this having any impact on the Aberdeenshire parishes examined. However, these cases illustrate the potential flashpoints between religious bodies and the secular context in which they were embedded. This is the interest of the Monymusk case, illustrating as it does the tensions and how they were resolved.

Monymusk: Heritors and Ministers

The parish of Monymusk generally figures in the historical record as a key location of agricultural improvement in the early eighteenth century.²³ The parish is seen as an exemplar of new agricultural practices, involving the enclosure of lands, the planting of trees, the introduction of new crops, and the demonstration effects of new tenants, due to the efforts of Sir

²¹ Rosalind Mitchison, 'The Making of the Old Scottish Poor Law', *Past & Present* 63 (1974), p. 88.

²² Rosalind Mitchison, *The old poor law in Scotland: the experience of poverty, 1574–1845* (Edinburgh, 2000), p. 66.

²³ Henry Hamilton, *Life and labour on an Aberdeenshire estate, 1735–1750* (Aberdeen, 1946).

Archibald Grant, second baronet of Monymusk.²⁴ He was also in the position of being effectively the sole heritor with responsibility for both the upkeep of the church and the lion's share of the minister's stipend.²⁵ This was to make resistance to the wishes of the Grants of Monymusk extremely difficult. It would certainly place the kirk elders, all estate tenants, in a very difficult position. While there was a small Episcopalian congregation from the early nineteenth century, the Church of Scotland dominated the religious life of the parish.²⁶ The disciplinary records of the church indicate a session rather laxer in their imposition of discipline over sinners than those in other parishes in the presbytery, but otherwise there is nothing exceptional about church life until the countervailing power of the local presbytery altered the balance of forces.

The Monymusk estate was bought in 1713 by Lord Cullen, a senator of the College of Justice and a devout Presbyterian.²⁷

²⁴ Ian Carter, *Farm Life in Northeast Scotland 1840–1914: The Poor Man's Country* (Edinburgh, 1979), p. 20. The degree to which this improvement was realised in practice and sustained is challenged in T. P. Soper, 'Monymusk 1770–1850: a study in the economic development of a Scottish estate' (PhD thesis, University of Aberdeen, 1954). He argues that it was not until the nineteenth century that tenants shared the commitment to improvement.

²⁵ Two small heritors, Forbes of Forbes and Durno of Cattie contributed to the minister's stipend under the decret of 1650, but their lands were subsequently appended to the parishes of Keig and Tough making Grant sole heritor by the time of the events described here: NRS, Court of Session, CS271/28094, Grant versus Alexander Duff, Answers for Alexander Duff, 4 July 1797.

²⁶ *New Statistical Account*, Monymusk, 1840, p. 470, <http://stat-acc-scot.edina.ac.uk/link/1834-45/Aberdeen/Monymusk/12/470/>

²⁷ R. H. Campbell, 'Grant, Sir Archibald, of Monymusk, second baronet (1696–1778)', *Oxford Dictionary of National Biography*, (Oxford, 2004) [<http://www.oxforddnb.com/view/article/65016> accessed 13 May 2010]

As part of his deeply held beliefs in the necessity and power of education in developing a Christian polity, he left a bequest or 'Mortification' (trust) which committed his successors to support from the estates they inherited from him schools in the parish, not only in the small estate village close to the mansion house but also on the outskirts of the large parish. The terms of this trust were open to interpretation and his son, Sir Archibald Grant (second baronet), took advantage of this. He had had a rather chequered career. He succeeded to his father's estates in 1726 and served as Member of Parliament for the county of Aberdeen. In 1732 he was expelled from the Commons because of his role in the York Building Company scandal. He was found guilty of neglect and fraud and given the option of incarceration or banishment to his northern estates. Fortunately for Scotland he chose banishment and dedicated his life to improvements, not just in agriculture but also in other areas such as church music. His vigorous improvement of his estates, exemplified by extensive tree planting, required considerable sums of money. One small way in which he could release funds was to be through the ambiguous terms of his father's settlement. This allowed for the payment of salaries to schoolteachers either in meal or in money, the monetary value to be by means of conversion at the current fiars price. However, Sir Archibald then fixed this at the rate obtaining in 1741, by which time the fund had already accumulated an unallocated surplus of £1,220 Scots. In 1760 a further agreement was reached, at which Sir Archibald agreed to pay 200 merks a year. No interest had been paid between 1741 and this date and there was an accumulated fund of £250 sterling.²⁸ Sir Archibald died in 1778 and it was only after his death that these actions were to cause controversy.

²⁸ NRS, CH2/166/6, Presbytery of Garioch minutes 1752–1792, report of revisers of registers of Monymusk, 1 December 1790.

However, it was not just Sir Archibald's death, but the death of the minister, Mr Simpson, which led to the first questioning of the way the trust had been managed. The agreement of 1760 had not only been agreed to by the minister and session, but had received the approbation of the presbytery. It was this body, following the practice laid down at national level, which carried out the inspection of kirk records which was to happen every time a new incumbent was appointed. A committee of inspection was appointed in 1781 but did not report until 1790.²⁹ It was this report which triggered the court case, but before considering its findings, it is also worth introducing two ministerial characters who were to play significant roles in the affair. Alexander Duff, who graduated from King's College in Aberdeen in 1769, was appointed as an assistant to Alexander Simpson, minister of Monymusk, in 1776. He was presented as minister by Sir Archibald Grant (third baronet of Monymusk) and the Crown (who had the right of presentation) in 1781. In 1761 he married Elizabeth Mortimer, with whom he had six children.³⁰ He was, therefore, in much need of a secure living, but this is not what he was to find in Monymusk. He soon discovered that there was no decret governing his stipend. He was to complain about the irregular and unsatisfactory manner in which his stipend was received.³¹ His monetary problems were so bad that by 1786 he was obliged to declare that 'Whereas My

²⁹ NRS, CS44/74/73, Decreet Presbytery of Garioch, Petition of Society for the Propagation of Christian Knowledge (SPCK), 23 February 1798.

³⁰ Hew Scott, ed., *Fasti Ecclesiae Scoticae*, vol. 6 Synods of Aberdeen and Moray (Edinburgh, 1926), p. 176. There is no evidence of any disputes over this exercise of patronage, or over other appointments.

³¹ NRS, Grant of Monymusk papers, GD345/1096, Memorial for Sir Archibald Grant from A. Duff, 29 November 1790.

Affairs have gone into disorder So that I am unable to discharge my Debts regularly as they become due' he would put aside £50 a year until they were cleared.³² This took until 1790, when he felt inclined to go on to the offensive to obtain what he felt was rightfully his. In the meantime, there is evidence that he and his kirk session were browbeaten into accepting Sir Archibald Grant's autocratic rule of the parish. In 1784, for example, Sir Archibald wrote to Revd Duff:

that the Kirk Treasurer & Session should be personally liable for any misapplication of the same, particularly if any distribution of poors money should be made from these funds without a Session regularly intimated and legally called, which had been attempted to be done of late without any such regular notice.³³

What this seemed to imply, as later became apparent, was that any such distribution was invalid without Sir Archibald's participation and approval.

Such a usurpation of the kirk's authority would not be accepted by the other major player, the Revd George Skene Keith. Having graduated from Marischal College in 1770, Revd Keith was of far higher social standing than Alexander Duff, being related to the Earl Marischal, who had the rights of presentation to the living of Keithhall and Kinkell.³⁴ As the

³² NRS, Grant of Monymusk, Papers concerning the ministry, manse, glebe, stipend and school of Monymusk, GD345/1097, affairs of Revd Alexander Duff, copy granted to Archibald Grant 1787.

³³ NRS, GD345/1096, Extract of minutes, 9 February 1784.

³⁴ Bertha Porter, 'Keith, George Skene (1752–1823)', rev. Anne Pimlott Baker, *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/15266> accessed 9 Feb. 2011].

earl was living in Potsdam, his local commissioners presented Keith to the living in 1776, but the following day a competing presentation of Thomas Tait arrived from Potsdam. This triggered legal proceedings which went to the House of Lords before being settled in favour of Keith. Having secured the living in 1778, Revd Keith went on to write a number of books, prominent among which was his *General View of the Agriculture of Aberdeenshire*, published in 1811. It is perhaps significant that his discussion of the agriculture of the county has only passing mentions to Monymusk, contrasting sharply to the later attention which has been given to the parish. As we will see, this is perhaps testament to the depth of conflict that ensued over Lord Cullen's trust. However, for the current context the significant action that Keith took was to inspect the session registers of Monymusk on behalf of the presbytery. From the subsequent actions it is clear that it was he who instigated the actions against Sir Archibald Grant (third baronet) and that it was the Revd Keith who was not prepared to accept the Grant family's dominance of their minister and session.

Issues of Contention

Revd Keith reported back to the presbytery in 1787 that he was concerned about aspects of the session's management and that his extensive review of the registers had indicated severe failings. They found gaps in the church registers and a failure to hold the sacrament of the Lord's Supper in six years. In examining the accounts they found that, 'the Session had acted very irregularly in laying out the Poors Money upon the public Clock Bell and other purposes foreign to the end of charity'.³⁵ Church funds were intended for the relief of the poor, but 'The

³⁵ NRS, CH2/166/6, Presbytery of Garioch minutes 1752–1792, report of revisers of registers of Monymusk, 1 December 1790.

visitors observe that the Poor of Monymusk are worse supplied than those of any other parish in the Country, Altho' the Session Funds were much better. The principal cause of this appears to be that the Interests of Lord Cullen's & Sir A. Grant's [second baronet] Bonds, amounting together to 1600 pounds Scotch were paid irregularly.'³⁶ Both these factors, the misapplication of funds and the failure to pay on a regular basis, might clearly suggest a session which was not operating as an independent court of the church. This impression of the visitors seemed to be confirmed when they turned to the management of Lord Cullen's trust, which was to have been under the control of the minister and session. It was here that they found that the allowances had been paid in meal up to 1741, but thereafter in money at what the visitors claimed were artificially low conversion rates. They also noted the settlement of 1761, which they argued was detrimental to the objects of the benefaction. The consequence was 'Instead of 4 Charity Schoolmasters there is only 1, who has got all the Salary and both he and the Parish Schoolmaster, whose Salary is also raised above the plan, have charged College fees for 4 boys from the Session funds since that time.'³⁷ They also found that the funds from the trust had been turned to other purposes, such as the provision of medical support, which appeared to suit the purposes of the estate. Their allegation was that such provision made it look like Sir Archibald Grant (second baronet) was providing generously for his tenants, but actually doing so out of funds which were earmarked for other purposes. There were two uses of the money which particularly attracted the ire of the revisers.

In the 1761 settlement provision had been made for 'an additional Salary to a Better than Ordinary Schoolmaster for

³⁶ Ibid.

³⁷ Ibid.

the Improvement of the Youth of the Parish and Indeed of the Whole Country, Especially as the Heritor is to Give Large Accommodations and other Important Benefits for the Same purpose'.³⁸ This could certainly be interpreted as part of efforts to attract more substantial tenants to take on the newly improved farms and so outside the charitable provisions of the mortification. As the Society in Scotland for the Propagation of Christian Knowledge (SSPCK) argued, it was an 'evident perversion of the fund in order to serve the heritor and the Inhabitants of higher rank, instead of being a benefit to the Poor.'³⁹ Even more contentious was the provision of a 'singing loft'. The second baronet was an enthusiastic advocate of choral music in church and led the way in introducing it to the county (later earning the approbation of John Wesley).⁴⁰ Not only was this against the inclinations of some members of the presbytery, but spending on fittings in the church was properly the responsibility of the heritor. However, in 1748 a singing loft was erected in the church at the cost of £486 Scots, which 'was instead of being in any sense a charitable distribution of the funds in reality a donation to the heritor by saving him so much of what ought to have been paid by himself.'⁴¹

The initial response from Sir Archibald (third baronet) was a mixture of defensiveness and compromise. In his defence, he argued that the state of the records was such that the precise details of the visitors' findings could never be clearly verified. In addition, the presbytery had approved explicitly of the arrangements in some cases. Their failure to raise any concerns

³⁸ NRS, CS44/74/73, Decreet Presbytery of Garioch, Extract minute of presbytery, 3 May 1761.

³⁹ NRS, CS44/74/73, Decreet Presbytery of Garioch, Objections from SSPCK to accounts 1796.

⁴⁰ Simpson, *Education*, p. 209.

⁴¹ NRS, CS44/74/73, Decreet Presbytery of Garioch, Petition of SPCK, 23 February 1798.

until this date, coupled with the long delay in analysing the records, was held to condone implicitly the management of the fund.⁴² However, there was also evidence of a willingness to establish the management of the fund on an agreed basis for the future, provided that the past was closed to further investigation. Sir Archibald's 'man of business', Isaac Grant (kinsman but no relation), wrote to Revd Keith in 1789 suggesting a process of negotiation.⁴³ This exchange shows little of the acrimony that was to mark later exchanges. It is not entirely clear why this mood of compromise broke down, but break down it did.

In late 1789 Keith reported to the presbytery that he had been informed by Isaac Grant that the proposed arbitration had come to an end.⁴⁴ What seemed to have blocked the negotiations was the intermixture of the affairs of the kirk session with the trust and the role of the heritor in each. The confusion here was that, according to the trust deed, the minister and session were to be sole managers of the funds supplied by the estate. They were subject to the oversight of the presbytery in this, just as in their ordinary run of business. Further, if there was to be any problem with this, the deed allowed for the intervention of the SSPCK, who were now to be involved by the presbytery. However, the heritor did have the right to attend the annual meeting of the session to distribute poor relief. The problem was that these two matters had been so intertwined over the years in Monymusk that a matter proper to one could poison the atmosphere in another. A particular trigger here was the singing loft. As we have seen,

⁴² NRS, CH2/166/6, Presbytery of Garioch minutes 1752–1792, replies for Sir Archibald Grant, 1 December 1790.

⁴³ NRS, GD345/1096, Grant of Monymusk papers, Copy letter from Isaac Grant to Skene Keith, 7 October 1789.

⁴⁴ NRS, CH2/166/6, Presbytery of Garioch minutes 1752–1792, 2 December 1789.

this had been constructed with money drawn from kirk funds, funds which were either intended for poor relief or for the fulfilment of the terms of the mortification.⁴⁵ The disagreement over this expenditure was to lead to the hardening of attitudes. In May 1792, the session register of Monymusk recorded the opening skirmish in what turned out to be a protracted war between the heritor, Sir Archibald Grant (fourth baronet of Monymusk), and the church authorities at all levels. The first casualties were to be the hapless elders: 'Said day, A. Grant appeared in his fathers Loft, and after the blessing was pronounced, read a paper, commanding the Elders to relinquish the seat set apart for them in the Church'.⁴⁶ This must have been a dramatic piece of theatre, given the small scale of the church, and one in which the elders, selected as the most respectable of the population, would have been humiliated in front of their friends and neighbours. Meanwhile the presbytery had sought the opinion of the Procurator of the General Assembly, whose support for their interpretation set the stage for the commencement of legal action that was to wind its way through the Court of Session for nearly thirty years.⁴⁷

'Very long and obstinate litigation'

The court case was initiated by the Church of Scotland in conjunction with the SSPCK, who had been brought into the action by Keith. There was ambiguity in the trust deed, meaning that on one interpretation any surplus funds could be appropriated by the Society to fulfil their broader purposes.

⁴⁵ NRS, GD345/1096, Grant of Monymusk papers, Memorial for Sir Archibald Grant of Monymusk Baronet regarding Lord Cullen's Mortification to the Kirk Session of Monymusk, 17 November 1789.

⁴⁶ NRS, CH2/1399/2, Kirk Session of Monymusk, 27 May 1792.

⁴⁷ NRS, CH2/166/6, Presbytery of Garioch minutes 1752–1792, 1 December 1790.

The action was initiated in 1794, but it took until May 1796 for the estate to submit their papers. In July of that year the central argument of the presbytery, that the value of two chalders of meal should be converted at the ruling fiar prices of the county, was confirmed by the court.⁴⁸ However, this was far from the end of the matter. The events which followed were long drawn out and tortuous; the following is a summary, for we also have to consider events back in the parish. In September 1796 the second Sir Archibald (third baronet) died, to be succeeded by his son, also Sir Archibald (fourth baronet). This was the man who had ordered the elders out of their seats, and he was in no mood for compromise. Rather than accepting where the case had arrived at, he entered an extensive representation challenging what had already been decided.⁴⁹ However, the main lines of the case were sustained and the court tried to move to put in place an alternative plan of management. This was contested at every step of the way by the fourth baronet, whose own actions then drew objections from the presbytery. By 1810 the Society observed that Sir Archibald had made eleven representations, the presbytery three.⁵⁰ In 1802, for example, the presbytery approved in principle a new scheme of management, but insisted that Sir Archibald pay all the arrears due at that date, which included a sum of £15 sterling owed to the charity schoolmaster. This was agreed, but Sir Archibald continued to delay the process by objecting to specific items. Each time the court found against him, but he was determined to grind out what the Society termed in 1808 'the very long and obstinate litigation of Sir

⁴⁸ See the summary in NRS, CS44/74/73, Decreet Presbytery of Garioch, Petition for Presbytery in Second Division, 22 June 1810.

⁴⁹ NRS, CS44/74/73, Decreet Presbytery of Garioch, Petition of SSPCK, 23 February 1798.

⁵⁰ NRS, CS44/74/73, Petition of Society against interlocutor, 31 May 1810.

Archibald Grant'.⁵¹ As we will see, this was probably due to the breakdown of relations in the parish. Later in the same year he had still not made any payments and the court ordered the immediate interim payment of £100.⁵² Following further objections, in exasperation the court ordered Sir Archibald Grant to pay a bond of £700 to Edinburgh bankers. However, this was still not sufficient, as Sir Archibald continued to object to the settlement of the costs of the case, even seeking to deduct his own costs from the accumulated fund. This is where he finally over-stepped the mark with the court. In 1810 he argued

that instead of the presbytery of Garioch, his real antagonists are the persons intrusted with the funds belonging to the Church of Scotland. That the funds of the latter of these venerable bodies have paid all the expenses hitherto incurred under the name of the presbytery, there is no doubt; and the respondent would, therefore, submit it as a point requiring some consideration, Whether the persons above mentioned are entitled, at their own discretion, and without authority, to use the names of this or that presbytery, for the purpose of harassing individuals with litigation in this Court, which, having no *persona standi*, they could not do in the name of the general body?⁵³

This was too much for the court, who ordered this passage to be struck from the record. However, the case was not brought to a close until after the death of Sir Archibald in 1820. Then the trustees for the new heir, Sir James (fifth baronet of

⁵¹ NRS, CS44/74/73, Answers of Society to objections. 17 December 1808.

⁵² NRS, CS44/74/73, Lord Newton minutes, 28 February 1807.

⁵³ NRS, CS44/74/73, Answers for Grant to petition of Presbytery, 5 December 1810.

Monymusk), showed a willingness to compromise and to settle on a plan of management. Under this plan, the fund was to be managed by the heritor and the ministers of Monymusk and Chapel of Garioch. This gave the heritor, as chair, status, but effective power, in terms of a voting majority, to the church. This was finally agreed in 1825, although in the interim arrears of pay of £198 to the village schoolmaster and £109 to the charity schoolmaster were agreed and the building of a new schoolhouse financed. After this expenditure, the accumulated fund stood at over £1,259, an indication of just how much the trust should have been worth.⁵⁴ However, the fight for the Grant family was not just over the revenue to be extracted from the estate, but much more over the challenge to their control of parish affairs. In order to appreciate this, we have to return to see what was happening in the parish while events in Edinburgh took their laborious course.

The first action contributing to the deteriorating relationship between minister and heritor was the emergence of Alexander Duff from his agreement to clear his debts. This saw him strike at the root of his problems, his inadequate stipend. In 1790, having failed to agree an increase he laid his case before the Presbytery.⁵⁵ This resulted in the case being laid before the Commission of Tiends, which agreed to an augmentation of stipend in 1796.⁵⁶ However, Alexander Duff was forced to bring an action before the Court of Session to

⁵⁴ NRS, CS44/74/73, Minute, 7 June 1823 in process; Heads of a plan for management 1823; Minute in process, 5 March 1824; Minute of process to approve setting up of fund and plan of management, 23 February 1825.

⁵⁵ NRS, GD345/1096, Memorial for Sir Archibald Grant from A. Duff, 29 November 1790.

⁵⁶ NRS, Court of Session, CS271/28094, Grant vs Alexander Duff, Bill of Suspension, 7 May 1797.

enforce payment.⁵⁷ In the interim, relations within the parish had broken down still further in a way which suggests that Sir Archibald was pursuing a personal vendetta against Revd Duff. In 1792, soon after the elders had been ordered from their seats, Duff's son Lewis, student of divinity, was appointed as schoolmaster and, as was the procedure in most parishes, appointed as session clerk.⁵⁸ In 1795, Sir Archibald refused to allow a meeting of the session to proceed until Lewis was removed as clerk and proposed that one of his servants act as clerk.⁵⁹ Following this, Lewis was turned out of his school, resulting in yet another court case to secure his reinstatement.⁶⁰ However, in the meantime Lewis' father had taken matters into his own hands. A watercourse ran across his glebe lands supplying the power for a water wheel and then running over ornamental cascades in front of the House of Monymusk. Alexander Duff had his servants stop up this watercourse from where it left the main burn. A witness claimed that in conversation with the minister, 'that Sir A. G. [fourth baronet] having used his son ill he considered it his duty to throw every[thing] in the way that he could'.⁶¹ Whether this case came to law is not clear, but what is clear is that the fourth baronet was using all the resources in his power to put pressure on the hapless Duff family, including seeking to enlist the elders (all tenants of the estate) in his cause.⁶²

⁵⁷ Ibid.

⁵⁸ NRS, CH2/1399/2, Kirk Session of Monymusk, 24 June 1792.

⁵⁹ NRS, CS44/74/73, Letter from Alexander Duff to Revd Dr Kemp, Secretary to SSPCK, 28 September 1795.

⁶⁰ NRS, GD345/1096, Lewis Duff account of damages and expenses July 1799.

⁶¹ NRS, GD345/1096, Minute, 26 November 1799.

⁶² NRS, GD345/1096, Statement of elders, 30 November 1799.

The battle continued to be joined in more material ways. In 1803, Alexander Duff petitioned the presbytery about the state of his manse and offices.⁶³ He pointed out that he had brought this to the attention of the presbytery six years before, but that Sir Archibald (fourth baronet) had refused to carry out any repairs, leaving parts of the property in a ruinous state. Once again, the presbytery had to resort to law to get a reluctant Sir Archibald to live up to his responsibilities as heritor, which were grudgingly and only partially met by 1805.⁶⁴ In 1814 the unfortunate Alexander Duff died, aged seventy and having served the parish for thirty-three years.⁶⁵ That his funeral sermon was preached by George Skene Keith might have exasperated Sir Archibald, for the presbytery minutes record, 'A petition from the Misses Duff representing that Sir Archibald Grant would not pay the stipend due to their late Father, alleging that the manse & office houses had been dilapidated and requesting a visitation of the same.'⁶⁶ Until the end, therefore, the bitter contest continued.

Something of the strains that underplayed the relationships between heritor and minister can be seen in the records of the meeting that was eventually held in 1797.⁶⁷ The issues here were the nature of what constituted a lawful meeting and the

⁶³ NRS, Presbytery of Garioch minutes, CH2/166/7 1792–1803, 20 April 1803.

⁶⁴ NRS, Presbytery of Garioch, CH2/166/8 1803–1834, 9 July 1805, 27 November 1805.

⁶⁵ NRS, Monymusk kirk session CH2/1399/3 1799–1823, 6 March 1814; he also supplied the account of the parish for the Statistical Account. Its lack of glowing commentary on the current heritor, as opposed to his praise for the first Sir Archibald, may reflect the tensions in the parish. *Statistical Account of Scotland, 1791–1799*, III, pp. 66–76.

⁶⁶ NRS, CH2/166/8, 23 August 1814.

⁶⁷ NRS, CH2/1399/3, 26 June 1797.

powers of the session to make distributions to the poor. The general practice in the presbytery was that two meetings a year would take stock of the church accounts. These would be intimated to the heritors, although they rarely attended. At these meetings the broad shape of distributions to the poor would be determined, but immediate relief was also granted at regular session meetings through the year.⁶⁸ The concern minuted by the session of Monymusk was that adherence to Sir Archibald's (fourth baronet) demand to be chair of any meeting discussing poor relief would seem to prevent them from making such ad hoc distributions. As a consequence the elders gave notice that they would demit that part of their office concerned with poor relief. However, what also underlay this dispute was the control of session meetings. In a previous meeting this had come to the fore. Sir Archibald relied on an interpretation of the distribution of poor relief in which the minister and elders only had control over the distribution of half of the money collected for poor relief. In doing so, he was explicitly resting on the decision of the Court of Session in the case of the parish of Humbie in Lothian. In 1751 this dispute between heritors and session had extended the right of heritors to share in the administration of all poor funds. This was a major challenge to the autonomy of the Kirk but, as Mitchison notes, it was widely ignored.⁶⁹ Indeed, it seems to have had no impact on the administration of poor relief in Aberdeenshire, as Monymusk was the only case in which it was invoked. Alexander Duff's response was to point out that this mode of operation obtained in those parishes (which in practice were limited to the south of the country) where an assessment was made. This was not the practice in either Monymusk or the broader region and so his concern was

⁶⁸ McPherson, *Kirk's care*.

⁶⁹ Mitchison *The old poor law*, pp. 60–66.

the encroachment on his position as the moderator of the session as a court of the church.⁷⁰ When this matter is then tangled up with the particular status of the trust, the fault line between the parties turned on the autonomy of the Kirk in a situation of a sole heritor who resented such autonomy.

Autocracy and Resistance

What has been presented is a summary of a voluminous set of records setting out in great detail some very complex issues. From them, however, we can extract some general conclusions about the way in which the discipline of the church operated. These indicate how that discipline could be frustrated by a determined and litigious heritor, but also how that discipline could ultimately be confirmed by clergymen who were not prepared to give way. We can see this if we consider each of the key actors in turn, starting with the Grant family.

One clue to the attitudes which underlay the obstinate refusal of the Grants to give way, even in the face of repeated verdicts against them, can be gleaned from a letter which Lady Grant sent to the minister in 1795. His son, she wrote, was inexcusable in disputing Sir Archibald's (fourth baronet) commands:

As this step [his removal from the school] was meant to have been taken, not with a view to hurt your son, he should have behaved with civility where it was due, particularly where such civility would be more calculated to secure him the friendship of those who might be of service to him.⁷¹

⁷⁰ The lack of assessments is specifically confirmed by Keith, *General View*, p. 178.

⁷¹ *Ibid.*

We can see the same impulse to public humiliation in the treatment of the elders, but they, of course, had no independent body to whom they could turn. When taking on the case in 1797 Sir Archibald made it plain to his lawyer that, 'I certainly wish to defend to the last my right of superintending the distribution when I please and that neither p[re]s[b]y[ter]y nor Society have a right to interfere in the distribution.'⁷² Of course this was to confound, as his predecessors had, three issues: the right of the heritor to be involved in the annual distribution of poor relief; the involvement of the heritor in other meetings of the session; and, the involvement of the heritor in the distribution of the trust. In the latter case it was quite clear from the decisions of the court that there was no such right, but the estate was to fight tooth and nail to get some involvement. In that they had representation on the eventual committee of management under the scheme approved by the Court of Session, it may be said that they succeeded, although at considerable costs to themselves and others.

During the case the focus of opposition as far as the Grants were concerned shifted. Initially it lay with their recalcitrant minister and his son. Having been used to a pliant minister in the form of Simpson, they were not keen to have opposition to their views, however mildly and politely stated in the beginning. Sir Archibald (fourth baronet) wrote:

I am informed by several members of the pby that Mr Duff is the original Instigator of the process, as they declared to me, that, except when pushed by Mr Duff in person to investigate it, they themselves did not wish to

⁷² NRS, GD345/1096, Letter to Mr Alex Grant from Archibald Grant, 5 November 1797.

interfere in it. Mr Skene Keith acts in concert with Mr Duff, and is the only member of the pby who visits him.⁷³

We have the open disagreements between heritor and minister in session meetings and it was this which really riled. 'Mr Duff's language was so exceedingly scandalous and insolent', Sir Archibald recorded in 1800, 'that he has repeatedly been obliged to tell him that he would not pay a farthing of the interest due, if he did not behave with more decency.'⁷⁴ Meanwhile the public argument was that it was the obstinacy and actions of the minister and his son which prevented progress. During this process, evidence was gathered to suggest that both had fabricated the records of the church to cover for their own fraudulent handling of church funds, although this never came to anything. We will see below that it is likely that it was Keith who stiffened the minister's resolve, but as the case progressed he became the key enemy.⁷⁵

Did Sir Archibald Grant's (fourth baronet) suspicions have any foundation? It would seem that the hapless Duff was not strong enough to pursue such a campaign. His responses to Sir Archibald were increasingly forthright over the course of the dispute, but at some times it would seem that he felt himself to be caught between Sir Archibald and the presbytery. As he lamented in 1797:

his situation, as Minister of this parish has been singularly hard, and that with the commands of the Presbytery, on one hand, and the interference of the Heritor on the other, he

⁷³ Ibid.

⁷⁴ NRS, GD345/1096, Observations on Session-books, 30 October 1800.

⁷⁵ NRS, Court of Session, Decreet Presbytery of Garioch 1845, CS44/74/73, Answers for Grant to petition of Presbytery, 5 December 1810.

has found it impossible to obtain that quiet and satisfaction which his neighbouring clergymen enjoy, and to which neighbouring and respectable Gentlemen contribute.⁷⁶

However, where he was firm was in resisting the interference, as he saw it, of Sir Archibald (fourth baronet) in matters proper to the running of the church. It was here that he could call upon the independent body of the presbytery as a counterweight.⁷⁷ It would appear that it was Revd Keith who was the prime mover in seeking to hold both the third and fourth baronets to account. It was he who was behind the initial report which triggered the whole affair, he who conducted the negotiations for the ultimately unsuccessful resolution of the case, and he who corresponded with the SSPCK to get their involvement. Whether he did this on the basis of personal animus against the third and fourth baronets or out of a principled defence of church autonomy is hard to say. Certainly his actions were not always greeted with full support by the other members of the presbytery.⁷⁸ So we might infer that the allegations of Sir Archibald (fourth baronet) that the presbytery was not entirely united behind the action may have had a grain of truth. However, they did sustain the action and became more involved as the case progressed.⁷⁹

The remaining parties in the case that rarely appear in their own right were the elders, caught in an impossible position between church and estate. In 1795 Revd Duff wrote to the SSPCK asking how they could ensure 'that my Elders, who are but plain country men may not be involved in distress thro the

⁷⁶ NRS, CH2/1399/3, Monymusk, 22 January 1797.

⁷⁷ NRS, CH2/1399/3, 26 June 1799.

⁷⁸ NRS, Synod of Aberdeen, CH2/840/5, Minutes 1787–1816, 9 October 1799.

⁷⁹ NRS, CS44/74/73, Decreet, Answers by presbytery to objections 1810.

overbearing interference of Sir Archd Grant.’⁸⁰ They were, of course, all tenants of the estate. In 1796 an assessment was made for the army and navy, which indicated that of 122 tenants, the vast majority (80, or 66 per cent) held land valued at under £5.⁸¹ In their ranks was the kirk treasurer, Peter Ewan, whose rent at Upper Coullie was £2 15s. Another elder, George Dodd of Dorandle, fell into the seven per cent of tenants paying between five and ten pounds, with the other three being in the fourteen per cent paying between ten and fifteen pounds. None of the elders was drawn from the ranks of the more substantial farmers on the estate. Given this social position, it is little wonder that the elders, especially seeing the action taken against their schoolmaster and session clerk, signed the requisition for a meeting in 1797. The competing claims are hard to assess, but their difficult position is clear.

Conclusion

Colin Kidd, in his examination of varieties of Unionism, has argued that Scottish historians need ‘pay due attention to the salience – sometimes the primacy indeed – of ecclesiastical issues’.⁸² This was said of the relatively recent past, but it is a useful reminder for more distant periods. Of course, the attention here has been on very visible disputes over patronage leading to the Disruption, and on debates at national level between the Moderates and the Popular Party. However, such very visible debates can cause us to neglect the more mundane and taken for granted practices that played an important role in

⁸⁰ NRS, CS44/74/73, Letter from Alexander Duff to Revd Dr Kemp, Secretary to SSPCK, 28 September 1795.

⁸¹ NRS, Grant of Monymusk, GD345/1109, Papers concerning tenants of Monymusk, including articles of roup and lists of customs, Assessment for army and navy 1796.

⁸² Colin Kidd, *Union and unionisms: political thought in Scotland, 1500–2000* (Cambridge, 2008), p. 304.

shaping national identities and so underpinned the more visible disputes. In Monymusk the selection of the minister was not at issue, as patronage was in the hands of the crown and was not contested. Rather, what the Monymusk case does is to shine a light on to the relative success and failure of the distinctive Scottish approach to church governance.

I have characterised that approach as a systemic one, in which authority resided in a carefully constructed system rather than in the character of office holders. This system was refined in a number of documents following the confirmation of the presbyterian system in 1690. These documents laid out in considerable detail the forms of records to be kept by all the bodies of the church. In these records were to be found not only the decisions of church courts about discipline, but also the records of the conduct of worship and of the relief of the poor. This facilitated the operation of a system of visitation which monitored the conduct of all those holding office. A central part of such visitations was the inspection of the records and the confirmation of their accuracy by a set of inquiries addressed, at parochial level, to, in turn, minister, elders, heritors, and heads of families. In this way, a comprehensive regime of monitoring was established which was designed to maintain adherence to the tenets of the church.

Of course, it is possible for practice to deviate significantly from the prescriptions laid down in such guidance. The experience in Monymusk, and in the presbytery of Garioch more widely, suggests a degree of variability. The North East was a stronghold of Episcopalianism in the years following the revolution settlement and it took some time to establish a fully functioning presbytery. It was understandable, therefore, that variability in record keeping and visitation should characterise the area. We have seen that the presbytery rather let matters drift in Monymusk and failed to exercise tight discipline over both minister and heritor. However, the concerns over the

administration of the charitable trust came to light in the course of the inspection of records by the presbytery at the occasion of the ordination of a new minister. That the results of this inspection took so long – six years – indicates not only the complexity of understanding often incomplete records, but also something of the load imposed by the routines envisaged in the procedural guidance. The scale of this workload may well be why the detail of inspections tended to reduce over time. The writers of the guidance envisaged a dedication to church affairs which may have been incompatible with a rapidly ‘improving’ society, which demanded more attention to other affairs. However, it remains the case that Monymusk does broadly indicate the successful functioning of a system of accountability, albeit one overlaid with the contingent influences of local circumstances and personalities.

It is here that the figure of George Skene Keith may be the most significant factor and may stand in for changing conceptions of authority in society more generally. As we have seen, the writers of the procedural guidance were working with assumptions about the status and roles of both ministers and heritors. They assumed that the latter would fulfil their complementary role to the discipline of the church, supporting its decisions in the secular courts and preserving its autonomy in the spiritual domain. This would then enable the church’s system of governance to provide a check on the pretensions of its ministers. However, as well as seeing that not all heritors shared this vision, Monymusk also illustrates changes in the nature of the clergy. In 1800, in the middle of the Monymusk case, Keith supplied an extensive essay to his edition of the lectures of George Campbell on *Ecclesiastical History*.⁸³ Campbell, now better known for his work on rhetoric, was

⁸³ George Campbell, *Lectures on Ecclesiastical History* (Aberdeen 1800).

principal of Marischal College and Keith was both his student and later his friend.⁸⁴ An adherent of the Moderate Party and sceptical about the scriptural warrant for any particular form of church polity, Campbell was nonetheless staunch in his advocacy of the nature and role of presbyterian church governance, playing an active part in the deliberations of the Aberdeen presbytery. He was a founder member of the Aberdeen Philosophical Society alongside, among others, the philosopher Thomas Reid. He was, therefore, a central part of the particular form of Enlightenment thinking developed in Aberdeen. Keith's association with such figures marked a shift in the educational influences on ministers, giving them a greater degree of self-confidence. As well as having been educated in the nature of church governance over time, as we have seen Keith was also an author on other subjects, notably on agriculture. Indeed, on his later call to the parish of Tulliallan, the *Glasgow Herald* referred to him as 'being so well known in the scientific world'.⁸⁵

Of his fellow members of the presbytery in the key years of the controversy between 1780 and 1800, educational details are available for twenty-four of the twenty-seven ministers who served.⁸⁶ Sixteen of these had graduated from Marischal College, eight from King's. The presbytery was staffed, therefore, of men sharing a common educational background, supported in their work by schoolmasters serving as session clerks who had also generally had, or were undertaking (as with Lewis Duff), education in divinity. Five of the ministers were themselves the sons of ministers and a number had sons, like Alexander Duff, who aspired to or achieved the same status. The success in providing a fully graduate clergy

⁸⁴ Jeffrey Suderman, *Orthodoxy and Enlightenment: George Campbell in the Eighteenth Century* (Montreal, 2001).

⁸⁵ *Glasgow Herald*, 10 May 1822.

⁸⁶ Scott, ed., *Fasti Ecclesiae Scoticae*, VI.

provided men shaped in turn by changes in university education. These changes produced a more self-confident body of men, willing at times to resist what they saw as challenges to their authority. The deference to authority that was seen at mid-century, when the presbytery was willing, with relatively little scrutiny, to adhere to the wishes of a powerful heritor, was diluted.

In May 1824, the session minutes carefully and deliberately record the restoration of the elders to their place of honour in the kirk.⁸⁷ This followed the settlement of the case and the establishment of much more cordial relations with the estate, now mediated through the trustees. The education of the inhabitants of the parish was now placed on a firm footing, based on a substantial fund which continued to play an important role in the education of the county in the years that followed.⁸⁸ The circumstances at Monymusk were unique and atypical of general practice, but in revealing the breakdown of the system they confirm its general acceptance elsewhere. It has been argued elsewhere that the form of governance exercised in the Church of Scotland provided a model for forms of organisation to the elite of the parish who formed the kirk session.⁸⁹ The experience of Monymusk perhaps leads us to qualify this by turning our attention to the important role of the university educated ministers and session clerks. It was on the basis of this education that they might feel confident to

⁸⁷ NRS, CH2/1399/3 1799–1823, 14 May 1824.

⁸⁸ Simpson, *Education*. The events that lead to the accumulation of the fund are somewhat glossed over in the account of the parish in the New Statistical Account as ‘circumstances which placed the mortification for a long time, as it were, in abeyance’: *New Statistical Account of Scotland*, 1834–45, XII, p. 470.

⁸⁹ Mutch, ‘Systemic accountability’.

face down the more traditional claims to authority of heritors.⁹⁰ While the North East of Scotland might not be an area closely associated with the Church of Scotland, its experience is illuminating when set against that of other parts of the country. A focus on the routines of governance at parochial level can be as illuminating as one on more public debates on theology and ecclesiology.

Nottingham Trent University

⁹⁰ Lord Cullen's Charitable Trust continued to support education in the area until it was folded into the Aberdeenshire Educational Trust in 1933, together with many other local funds in the county. In this guise, Lord Cullen's legacy continues to support education in the county, particularly in the visual arts, music, and drama.